

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Hankejh et al. Examiner: Vu, V.
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Title of Invention: Real Time Internet Communications System

Seattle, Washington 98109
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TO THE COMMISSIONER FOR PATENTS
Washington, D.C. 20231

DECLARATION OF MICHAEL J. LANDE UNDER RULE 131(b)

Michael J. Lande declares:

1. I am over the age of 18, and competent to testify in this matter. I am not a co-inventor of the above invention, but I am a witness to its creation. I am an attorney and I am CEO of InstantService.com, Inc., successor to Sessio.com, Inc., who is the assignee of the above captioned patent application.

2. Prior to January 1998, when Damion Hankejh showed me a new way to do it, when I wanted to share or pass internet website links to other sites with friends while we were engaged in a chat session with each other, we had to write them out in the chat text. And then my logged on friends would copy the text link from their chat page and paste it into the address bar of another browser application running simultaneously on their computer to get that browser to navigate to that link address.

3. By January 1998, I was introduced to Damion Hankejh In Seattle, Washington by Martin Rood and they explained to me their vision for a browser leading function within a chat function that could be enabled by Java coding. I was then an attorney with the firm of McDonald

& Quackenbush in Seattle, and I was counsel for Marty Rood, doing preliminary work for Marty for formation of the company which was to become Sessio in approximately April 1998. The purpose of the meeting was to discuss the formation of Sessio and to show me their idea and the technology that would be the cornerstone of the new company.

4. In early January Damion and Marty discussed in Seattle the use of a browser based chat product that could be used for customer communication, support, and sales etc. Marty and Damion then demonstrated the technology at our office. I saw Damion act as a customer service rep and Marty act as a customer and I saw Damion and Marty chatting while Damion led Marty's computer around the net by pushing him pages all via the browser and via an ASP model. I sat in on several demonstrations of the this prototype beginning in January 1998. On several occasions in January 1998 Damion went to the board and mapped out how the system was working and the basic architecture. Attached is a drawing which represents my best recollection of what that architecture looked like to me at the time. My recollection is that the drawing depicts the high-level overview of the service - its essential architecture and use of Internet infrastructure to eliminate software installation.

5. At that time, they also explained to me that a chat function could be combined with a browser leading function, so that a chat participant, by entering a web address on a special address bar or the like inside the chat environment and activating it, could lead all other chat participants simultaneously running browsers to any location on the Web.

6. They also explained how they realized that the new browser leading chat session could serve as both a collaboration and educational tool and in a broader sense as a customer service and support tool for the then burgeoning e-commerce market. He showed me how he visualized that a chat session could be started, and virtually any number of people could log into

that chat session via an http connection through the internet, and then a designated chat leader could lead the browsers of the other chat members to anywhere on the web, including URL's within a website hosted by the chat leader himself and containing all the educational or collaboration materials that he wanted to share with his colleagues. The attached drawing is also a good representation, at a high level, of the system I have just described. I understood at that time that this was also how a customer service rep, while leading a chat session with an online customer, could lead the customer to web pages that would either show the customer what she had been looking for, or show her other information that would help her in her online shopping. It was both remarkable and fascinating. Also part of what he explained was that a user could click on a unique hyperlink button on a Web site put there for the purpose of connecting the user via the hyperlink with a real-time chat dialogue with the live sales or service person. The service person could then answer questions in the chat and in the same session lead the user to any desired location on the Web.

7. A key part of the business opportunity that was presented and discussed in those days early in 1998 was a real time internet communications system like the Web that could support a chat 'session' service like we had been discussing, and as I have summarized here, linked to a web site, to connect one or more support agents to at least one user. Damion pictured that each agent could log in to the session service, while the user was browsing the website. At some point the user could then click a hyperlink button on the website for assistance, and be thereby directed transparently to the session 'cloud' (a virtual queue for users) while the cloud would then notify the logged in agent that a user had made a request for assistance via the link. The cloud would also initiate a distribution routine whereby a java client applet would be sent to the user's machine, so that when the agent responded to accept the call from the cloud, both the agent and the user would

be placed into a session channel or chat specially formed by the java client applet on the user's machine and an appropriate server connected to the website so that the agent and the user could collaborate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the accompanying application or any patent issued thereon.

DATED

11/6/2002
MICHAEL J. LANDE

